**THE HIGH COURT OF UTTARANCHAL AT NAINITAL.**

Civil Writ Petition (M/S) No. 1376 of 2006

Rajesh Kumar, S/O Vedpal Singh, R/O Village Narsankala, Post Gurukul Narsan, District Haridwar.

… **Petitioner.**

***Versus***

1. Deputy Director Education (*Intermediate)* Shrinagar, District Pauri Garhwal.
2. District Education Officer, District Haridwar.
3. Committee of Management (Alleged) through Secretary, Raja Mahendra Pratap Prem Vidhiyalaya Co. Ad. Inter College, Post Gurukul Narsan, District Haridwar.

… **Respondents.**

**Sri P.Saini, Advocate, learned counsel for the petitioner.**
**Sri R.C. Arya, Learned Standing Counsel for the respondents-State.**
**Sri Vijay Bhatt, Advocate, learned counsel for the respondent no.3.**

**Date September 18, 2006.**
**PC:(Hon'ble B.S. Verma, J.)**

The petitioner has filed the present writ petition for a writ, order or direction in the nature of certiorari quashing the impugned order dated 20-6-2006 passed by Additional District Education Officer Haridwar, whereby the representation of the petitioner has been rejected.

The grievance of the petitioner is that the representation/objection of the petitioner had been decided by an officer, who was not competent authority. Learned counsel for the petitioner has submitted that the competent authority is the Joint/Additional Director and the objection was addressed to the Deputy Director Education, Pauri Garhwal. According to the learned counsel for the petitioner, under Section 16(A)(7) of the Intermediate Act, the competent authority is Joint/Additional Director.

Learned counsel for the petitioner made a prayer that the objection of the petitioner ought to have been decided by the competent authority, which is already pending before the Deputy Director of Education, Pauri Garhwal and now the competent authority is Joint Director/Additional Director.

In the facts and circumstances of the case, the objection/representation may be decided by the Joint/Additional Director of Education. The prayer is innocuous.

The petitioner shall supply fresh copy of the representation/objection along with certified copy of this order to the authority concerned and the competent authority shall decide the same within a period of six weeks from the date of production of certified copy of order.

With the above observations, the writ petition is disposed of finally.

**( B.S. Verma, J.)**

RCP